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DATE: January 27, 2004

PTO IDENTIFIER: Application Number 09/604251-Conf. #4162
Patent Number

Inventor: Markus Pompejus et al.

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (703) 872-9306

FROM: LAHIVE & COCKFIELD, LLP

Lisa M. DiRocco

PHONE: (617) 227-7400

Attorney Dkt. #: BGI-122CPRCE

PAGES (including Cover Sheet): 9

CONTENTS:

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PTO/SB/97 (12-97)

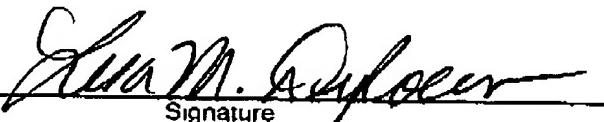
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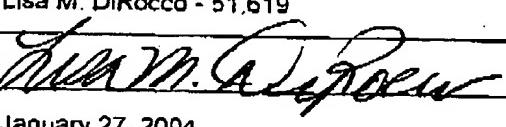
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		Application Number	09/604231-Conf. #4162
		Filing Date	June 27, 2000
		First Named Inventor	Markus Pompejus
		Art Unit	1652
		Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	1	Attorney Docket Number	BGI-122CPRCE

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
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<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

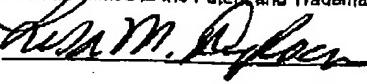
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Firm or Individual name	LAHIVE & COCKFIELD, LLP Lisa M. DiRocco - 51,619
Signature	
Date	January 27, 2004

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(Lisa M. DiRocco)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re the application of: Markus Pompejus, et al.

Serial No.: 09/604,231

Filed: June 27, 2000

For: Corynebacterium Glutamicum Genes Encoding
Phosphoenolpyruvate: Sugar Phosphotransferase
System Proteins

Attorney Docket No.: BGI-122CPRCE

Group Art Unit: 1652 JAN 27 2004

Examiner: M. Monshipouri

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(Lisa M. DiRocco)REQUEST FOR WITHDRAWAL OF
ERRONEOUS NOTICE OF ABANDONMENT

Dear Sir:

A Notice of Abandonment was mailed from the PTO on December 29, 2003, indicating that Applicants failed to timely file a reply to the Office Action mailed on November 26, 2002. However, Applicants filed a Notice of Appeal on May 23, 2003, and a Request for Continued Examination on December 23, 2003. Both filings were received and processed by the PTO as shown on the attached File Contents History extracted from PAIR. As further evidence of the receipt of these filings, attached herewith is a copy of a postcard receipt date stamped on May 23, 2003 by the PTO, which confirms that a timely filed Notice of Appeal was received on May 23, 2003 and a copy of a postcard receipt date stamped on December 23, 2003 by the PTO which

Jan-27-04 18:16 From-LAHIVE & COCKFIELD, LLP
U.S.S.N. 09/604,231
Attorney Docket No.: BGI-122CPRCE

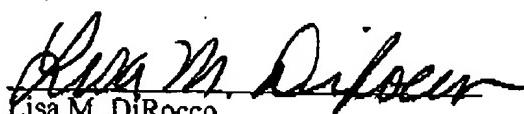
6177424214 T-216 P.05/09 F-656

Group Art Unit: 1652
Examiner: M. Monshipouri

confirms that a timely filed Request for Continued Examination was received on December 23, 2003.

Accordingly, Applicants respectfully request that the erroneously-issued Notice of Abandonment be withdrawn and the application be revived.

Respectfully submitted,


Lisa M. DiRocco
Registration No. 51,619
Attorney for Applicants

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28 State Street
Boston, MA 02109
Tel. (617) 227-7400

Date: January 27, 2004



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Search results for application number: 09/604,231			
Application Number:	09/604,231	Customer Number:	959
Filing or 371(c) Date:	06-27-2000	Status:	Abandoned -- Failure to Respond to an Office Action
Application Type:	Utility	Status Date:	12-24-2003
Examiner Name:	MONSHIPOURI, MARYAM	Location:	TC 1600
Group Art Unit:	1652	Location Date:	01-14-2004
Confirmation Number:	4162	Earliest Publication No.:	-
Attorney Docket Number:	BGI-122CP	Earliest Publication Date:	-
Class/ Sub-Class:	435/069.1	Patent Number:	-
First Named Inventor:	Markus Pompejus, Freinsheim, (DE)	Issue Date of Patent:	-
Title Of Invention:	Corynebacterium glutamicum genes encoding phosphoenolpyruvate phosphotransferase system proteins		

[Foreign Priority](#)[Continuity Data](#)**File Contents History**

Number	Date	Contents Description
28	12-23-2003	Workflow - Request for RCE - Begin
27	12-29-2003	Mail Abandonment for Failure to Respond to Office Action
26	12-24-2003	Abandonment for Failure to Respond to Office Action
25	12-19-2003	Correspondence Address Change
24	05-23-2003	Notice of Appeal Filed
23	05-23-2003	Request for Extension of Time - Granted
22	11-26-2002	Mail Final Rejection (PTOL - 326)
21	11-26-2002	Final Rejection
20	09-21-2002	Date Forwarded to Examiner
19	09-10-2002	Response after Non-Final Action
18	09-10-2002	Request for Extension of Time - Granted
17	04-05-2002	Mail Non-Final Rejection
16	04-05-2002	Non-Final Rejection
15	03-12-2002	Date Forwarded to Examiner
14	02-20-2002	Response to Election / Restriction Filed
13	02-20-2002	Request for Extension of Time - Granted
12	08-10-2001	Mail Restriction Requirement

11	08-10-2001	Requirement for Restriction / Election
10	06-18-2001	Preliminary Amendment
9	11-02-2000	Case Docketed to Examiner In GAU
8	10-20-2000	Application Dispatched from OIPE
7	10-20-2000	Application Is Now Complete
6	08-03-2000	Notice Mailed~Application Incomplete~Filing Date Assigned
5	08-03-2000	Correspondence Address Change
4	07-24-2000	IFW Scan & PACR Auto Security Review
3	07-18-2000	CRF Is Good Technically / Entered into Database
2	06-27-2000	CRF Is Good Technically / Entered into Database
1	06-27-2000	Initial Exam Team nn

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Jan-27-04 18:17

From-LAHIVE & COCKFIELD, LLP

6177424214

T-216 P.08/09 F-656

Inventor: Markus Pompejus, et al

Atty Docket No.: BGI-122CP

Application No.: 09/604231

Filing Date: June 27, 2000

Title: CORYNEBACTERIUM GLUTAMICUM GENES ENCODING PHOSPHOENOLPYRUVATE SUGAR PHOSPHOTRANSFERASE SYSTEM PROTEINS

Documents Filed:

Transmittal (1 page)

Notice of Appeal (1 page)

Three Month Request for Extension of Time Under 37 CFR 1.136(a) (1 page)

Fee Transmittal (1 page, in duplicate)

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Date: May 23, 2003

Jan-27-04 18:17

From-LAHIVE & COCKFIELD, LLP

6177424214

T-216 P.09/09 F-656

Inventor: Markus Pompejus et al

Atty Docket No.: BGI-122CPRCE

Application No.: 09/604,231

Filing Date: June 27, 2000

Title: CORYNEBACTERIUM GLUTAMICUM GENES ENCODING PHOSPHOENOLPYRUVATE SUGAR PHOSPHOTRANSFERASE SYSTEM PROTEINS

Documents Filed:

Request for Continued Examination Transmittal (1 page)

Amendment and Response to Office Action (8 pages)

Five-Month Request for Extension of Time Under 37 CFR 1.136(a) (1 page)

Fee Transmittal (1 page - in duplicate)

Information Disclosure Statement (2 pages)

PTO-Form 1449 (1 page)

Copy of References A1-A5

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Via: Express Mail: Airbill No. EL 982 738 126 US

Sender's Initials: LMD/EAH/jc/lg

Date: December 23, 2003

